होती है लेकिन हम लोग डायरेक्ट हस्तक्षेप नहीं कर सकते हैं। जो बन रही है, उसको हम प्रोत्साहन हैंडलूम की तरह से दे रहे हैं ।

Bilateral talks with Pakistan regarding issues relating to fishermen

*84. SHRI VIREN J. SHAH: Will the Minister of EXTERNAL AFFAIRS be pleased to refer to the answer to Unstarred Question 2745 given in the Rajya Sabha on 16th March, 1992 and state:

(a) the result of the talks held between the Governments of India and Pakistan regarding the issues relating to fishermen of both the countries;

(b) what is the level at which the talks were held; and

(c) the number of Indian and Pakistani fishermen held in each country and since when they have been in custody?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI EDUARDO FALEIRO): (a) to (c) A Statement is laid on the Table of the House.

Statement

(a) and (b) As a result of the understanding reached during the talks held at Joint Secretary level in January-February 1990 with the Government of Pakistan, both countries follow the practice of repatriating, on humanitarian grounds, apprehended fishermen and vessels to their respective countries on an agreed date.

(c) At present, no Indian fishermen are under detention in Pakistan. Government have also recently issued orders for the immediate release of 120 Pakistani fishermen and fishing vessels seized over the months of November and December, 1991.

Government, however, will still have in custody twenty nine Pakistani fishermen and two fishing boats that had been apprehended in the first week of April, 1992. Their cases are being processed.

SHRI VIREN J. SHAH: Mr. Chairman, Sir, this questions, as you know, arises from a reply to Unstarred Question No. 2745 given in this very House which was connected with the complaint made by Gujarat Porbunder Macchimar Boat Association, not once but several times, about the fishermen from Porbunder and Okha being arrested by Pakistani naval or coast guard vessels and then they are detained for two or three months, causing grave inconvenience and problems to the families as well as to the fishermen. It was in this context that the question was put whether the Government of India could take such steps through the Coast Guard organisation or the Naval authorities, that the fishermen are able to fish. As it is, they are getting caught by the Pakistanis on the ground that they are not fishing in the Indian waters. May I know how many nautical miles we can claim as part of the Indian territorial waters and what steps will be taken to safeguard these fishermen?

SHRI EDUARDO FALEIRO: May I say here, Sir, that after the Unstarred Question referred to in this question was asked and answered in this House, we got all the Indian fishermen and boats in Pakistan released? My information is that our Ministry officials have been in touch with the hon. M.P. and they tried to do the best they could to solve the grievances which were there at that point of time. At the moment there are no Indian fishermen in Pakistani jails and, as for the future, we are devising procedures, to which I will come in a moment. But let me say, Sir, that the problem arises from the fact that there is no demarcated border as such. There is merely a notional border that goes out of the Sir Creek in Gujarat. As to why there is no demarcated border and there is only a notional border, I do not want to go into it unless ...

SHRI VIREN J. SHAH: How many miles?

SHRI EDUARDO FALEIRO: That is normal. There is no problem as far as the miles outside are concerned. The problem comes in the north-south fixing of the boundary line between India and Pakistan. It is not a question of extension. It is a

question of boundary line, and the boundary line has not been fixed for many reasons, including the need to look into the historical arrangements which existed between the Ruler of Kutch and Sind Province during the British rule, and that could be a complicated process. At the moment, I can say, there are no Indian fishermen in Pakistani jails, and we will take all steps to see that when they are arrested, unless there are other crimes committed, like smuggling and drug trafficking, if it is merely straying into the waters outside the notional boundaries, they are released immediately.

SHRI VIREN J. SHAH: I am glad that there are no Indian fishermen in Pakistani jails at present, but I might make a correction. I am not sure that any official of the Ministry made a statement or was in touch with me; I am not aware of that. In any case, if they are giving whatever help they can, it is good. I can understand the difficulty about the Kutch-Sind waters, but Porbandar is very much a southern part of the coast of Saurashtra and that part of the sea or ocean does not come anywhere near the Pakistani borders, and yet every year a number of the fishermen get caught by the Pakistanis and kept in their prisons. So you may consider taking some steps by which they could be safeguarded so long as they are within our territory. If they stray into Pakistani territory, one can't help it. One can only enlighten them. So, are there any such steps in the mind of the Government to prevent recurrence of this situation?

SHRI EDUARDO FALEIRO: Sir, (1) we will agree with Pakistan that in case of such arrests, there should be immediate release of fishermen on both sides. (2) In view of the question raised by the hon. Member, we will get in touch immediately with the Pakistani authorities to see that a meeting is fixed at the Secretaries level—because these meetings are held at the level of Secretaries—to advance the process of demarcating the border. (3) On the point whether it is a fact that many of these fishermen are arrested even when they are near Porbandar waters, the fact is that it happens. We have also Pakistanis going up to Mungalore in getting them arrested. So, this problem is there and the steps we are taking, I hope, will help solve it.

SHRI VIREN J. SHAH: Are they thinking of Coast Guard or Navy help for them?

SHRI EDUARDO FALEIRO: We are thinking of. At the moment there are patrols—both marine patrols and air patrols—and we will work in the direction that the hon. Member has suggested.

SHRI N. K. P. SALVE: Sir, implicit in the answer of the Minister of External Affairs is a disconcerting feature. One can understand the grey area on account of the inability of Pakistan and India to demarcate the precise boundary, but how is it that the Pakistani Coast Guard or Navy come up to Porbandar to arrest our fishermen? That is something which I am not able to understand because, if their Navy or Coast Guard were to come up to Porbandar, that is obviously an intrusion into our sovereignty.

SHRI EDUARDO FALEIRO: Sir, we will check on this, When I made this statement about Porbandar in reply to the question.

MR. CHAIRMAN: If they enter our waters, we can check it.

SHRI EDUARDO FALEIRO: Definitely, Sir, definitely.

SHRI DINESHBHAI TRIVEDI: Sir, what comes out of this is a very, very serious issue. The talks were held in 1990 and today we are in 1992. Still the hon. Minister says that the matter is being looked into. I think this is very, very serious, specially after what Salveji has just mentioned. My question is, there are still 120 fishermen who were apprehended very recently, in 1991. On top of it, in 1992 April there were still 29 Pakistani fishermen apprehended. There have been a lot of reports that terrorist activities are also on the increase in the State of Gujarat Would the Minister kindly state whether this is one of the routes through which

terrorists who have motives also come, number one!

Number two, what is the dimension of smuggling activities? If you have so many fishermen being caught, what is the dimension of the smuggling activities, and what does the Government intend to do immediately?

SHRI EDUARDO FALEIRO: Most of these fishermen are not indulging in smuggling, I must admit that. They just stray into each other country's waters for the purpose of fishing. The problem of the boundary is just not problem of maritime boundary only, but it is also a problem of land boundary in the area, even the land boundary in Sir Creek area.

MR. CHAIRMAN: Not Porbunder. They are all talking about Porbunder.

SHRI EDUARDO FALEIRO: I am only on this question that many of these problem ...

MR. CHAIRMAN: The Porbunder boundary and the maritime boundary both are settled.

SHRI N. K. P. SALVE: It is blatant aggression if they are arrested at Porbunder.

SHRI DINESHBHAI TRIVEDI: What was really in 1990, 1991 and 1992 ...

MR. CHAIRMAN: He has answered that. He has understood it. He has said that better patrolling and all that would be done and that if there was any smuggling he would stop it.

SHRI N. K. P. SALVE: Is it Chairman's reply or the Minister's reply?

MR. CHAIRMAN: That is what he has said. I have only summarised it.

Indian objection to US Attitude towards bilateral agreement between India and Russia

*85. PROF. SAURIN BHATTACHARYA: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether Government have now ascertained the facts of restrictions as may have been imposed by the Government of USA on the Government of Russia in regard to different bilateral agreements between India and Russia;

(b) whether it is a fact that India's objection to USA has not materially brought about any change in attitude towards those agreements; and

(c) if so, the facts and details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI EDUARDO FALEIRO): (a) to (c) Government are aware of some suggestions for restrictions from the US Government on a bilateral agreement between India and Russia in the sphere of space. Discussions between India and Russia are continuing. Discussions are also underway with the United States.

PROF. SAURIN BHATTACHARYA: Mr. Chairman, Sir, the Minister seems to have been rather uncharacteristically brief though the issue covered by the question is rather wide. Precisely speaking, the question is that India had certain agreements, arrangements, with the erstwhile Soviet Union, and now the mantle falls on the Russian Republic either to fulfil those obligations or not to fulfil those obligations. The idea of the question is to get a clear picture regarding the exact position in regard to such agreements with the erstwhile Soviet Union, whose responsibility now devolves on Russia. The Minister's reply really does not throw any light on the specific points.

MR. CHAIRMAN: You ask a specfic point. He will throw light.

PROF. SAURIN BHATTACHARYA: What are the agreements which are pending honouring or implementation by the present Russian Republic? How far is the US opposing their implementation in respect of India? Or, how far and for what reason is the US trying to put restraint on Russia against implementing those agreements?

SHRI EDUARDO FALEIRO: They are only agreement which we are aware of